(4)

CH 604

(1)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

Writ Petition No. 3457 of 2003.

PETITIONER : Ramphal Sharma S/o late L.L.Sharma, aged about 58 years, resident of Kududand, Bilaspur, Distt.Bilaspur (C.G.).

Versus

RESPONDENTS : (1) State of C.G.
Through : Secretary, Health & Family Planning, Department, D.K.S.Bhawan, Raipur (C.G.).

(2) Director,
Indian System of Medicine & Homeopathy under the control of State of Chhattisgarh, Office at Raipur (C.G.).

(3) Distt. Ayurved Officer, Bilaspur

P. R. No. 3336/03
Presented by Shri D.K. Chatterjee
dated 29.10.03

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29-10-03
Clerk to A.G. Bilaspur

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 3457 / सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

17.11.2003

Shri N.K. Chhatterjee, counsel for the petitioner.

Shri Ranbir Singh, Govt. Advocate for the State.

By this writ petition under Articles 226 & 227 of Constitution of India the petitioner seeks to challenge the order dated 21.07.2003 by which he has been transferred on the post of head clerk to the Directorate of Indian System of Medicine and Homeopathy office at Raipur.

The petitioner's petition is that since 06.03.1986 he has been working as head clerk in District Ayurvedic Office at Bilaspur. He has been nominated by the Provincial President of Chhattisgarh Class III Govt. Employees Association as a District President by virtue of letter dated 03.09.2002 and since then he is the president of district. Further nothing has been mentioned in the order that on which post he has been transferred and whether there is any sanctioned post on which the petitioner has been transferred. Even the Provincial President has made representation to the government (Annexure P-4), a letter to the effect was written on 17-9-2003 and even the Minister concerned also directed the Secretary to consider the case of the petitioner but so far his case has not been considered, thus the petitioner has been subjected to great hardship and petitioner will suffer irreparable loss. Moreover, the petitioner is going to retire on 31.05.2005, therefore, it has been requested that respondents be directed not to give effect to the impugned order.

I have heard learned counsel for the parties.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Learned counsel for the petitioner submits that the Provincial President of the Association sent a representation to the Minister concerned but nothing has been done on his representation, moreover the petitioner is a Class-III employee. In the circumstances the petitioner may be allowed to make a representation and respondents be directed to consider his representation sympathetically to which learned State counsel has no objection.

Having heard the learned counsel for the parties and having regard to the facts and circumstances of the case, the petitioner is allowed to make a detailed representation within a period of 15 days from today raising all his grievances and difficulties to respondent no.2 and in turn respondent no.2 shall consider the representation of the petitioner in an objective manner and pass an appropriate reasoned order after considering all the grievances raised by the petitioner within another two months.

With the above direction, the petition is disposed of.

Consequently, M.W.P. No.3141/2003 & I.A. No.9965/2003 also stands disposed of.

Certified copy as per rules.

Sd/-
L.C.BHADOO
Judge